

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently amended) A control device of a vehicular fuel cell system, comprising:

a warm-up output control section configured operative, when the [[a]] fuel cell system is started up under a low temperature condition and when ~~in case that~~ a fuel cell stack of the fuel cell system is warmed up, ~~causing to cause~~ the fuel cell stack to generate electric power to allow predetermined warm-up electric power to be drawn ~~taken out~~; and

a run permission section ~~operative~~ configured to determine, during a period wherein the warm-up electric power is drawn ~~taken out~~ by the warm-up output control section, ~~to discriminate~~ whether the fuel cell stack assumes a predetermined warm-up condition on a [[the]] basis of one of (1) a voltage value and (2) an electric current value of the fuel cell stack, wherein ~~whereby~~ when a determination ~~discrimination~~ is made that the fuel cell stack assumes the predetermined warm-up condition, the run permission section is configured to provide ~~provides~~ a vehicle with a run permission,

wherein the run permission section is configured to provide the vehicle with the run permission (1) when the voltage value of the fuel cell stack is equal to or more than a predetermined voltage value that is necessary before the vehicle may commence travel, wherein the voltage value is determined in dependence upon an electric current value that occurs when the fuel cell stack generates electric power, or (2) when the electric current value of the fuel cell stack is equal to or less than a predetermined current value that is necessary before the vehicle may commence travel, wherein the current value is determined in dependence upon a voltage value that occurs when the fuel cell stack generates electric power.

Claims 2– 5 (Canceled).

6. (Currently Amended) The control device according to claim 1, wherein the run permission section provides the vehicle with the run permission when a temperature of coolant in the fuel cell stack is equal to or more than a predetermined value.

7. (Currently Amended) The control device according to claim 1, wherein when a temperature of coolant in the fuel cell stack is less than a predetermined value, the run permission section controls an auxiliary device which is provided to a power plant that includes including the fuel cell stack so as to heat the fuel cell stack.

8. (Currently Amended) The control device according to claim 7, wherein ~~[[when]]~~ the auxiliary device includes a combustor, wherein ~~to which~~ exhaust emitted from the fuel cell stack is introduced to the combustor.

9. (Currently Amended) The control device according to claim 8, wherein the combustor is provided with an electric-heated catalyst section operative to be heated to a catalytic active temperature by electric heat, a catalytic combustor section configured to combust ~~combusting~~ the exhaust, and a heat exchanger configured to allow ~~allowing~~ combustion heat of the exhaust to be transferred to the coolant.

10. (Currently amended) A control device of a vehicular fuel cell system, comprising:

a warm-up output controlling means, when the ~~[[a]]~~ fuel cell system is started up under a low temperature condition and when ~~in case that~~ a fuel cell stack of the fuel cell system is warmed up, for controlling the fuel cell stack to generate electric power to allow predetermined warm-up electric power to be drawn ~~taken out~~; and

a run permission providing means for providing a vehicle with a run permission when a determination is made that the fuel cell stack assumes a predetermined warm-up condition, wherein the run permission providing means is configured to determine while discriminating whether the fuel cell stack assumes the ~~[[a]]~~ predetermined warm-up condition on a ~~[[the]]~~ basis of one of (1) a voltage value and (2) an electric current value of the fuel cell stack during a period wherein the warm-up electric power is drawn ~~taken out~~ by the warm-up output controlling means, ~~for providing a vehicle with run permission when discrimination is made that the fuel cell stack assumes the predetermined warm-up condition~~

wherein the run permission providing means is configured to provide the vehicle with the run permission (1) when the voltage value of the fuel cell stack is equal to or more than a predetermined voltage value that is necessary before the vehicle may commence travel, wherein the voltage value is determined in dependence upon an electric current value that

occurs when the fuel cell stack generates electric power, or (2) when the electric current value of the fuel cell stack is equal to or less than a predetermined current value that is necessary before the vehicle may commence travel, wherein the current value is determined in dependence upon a voltage value that occurs when the fuel cell stack generates electric power.

11. (Currently amended) A method of controlling a vehicular fuel cell system, the method comprising:

drawing a taking-out predetermined warm-up electric power by controlling a a ~~[[the]]~~ fuel cell stack to generate electric power~~[[,]]~~ when a fuel cell system is started up under a low temperature condition and when the ~~in case that~~ a fuel cell stack of the fuel cell system is warmed up; and

providing a vehicle with a run permission when a determination ~~discrimination~~ is made that the fuel cell stack assumes a predetermined warm-up condition, while determining ~~discriminating~~ whether the fuel cell stack assumes the predetermined warm-up condition on the basis of one of (1) a voltage value and (2) an electric current value of the fuel cell stack during a period in which ~~wherein~~ the warm-up electric power is drawn, ~~taken-out~~

wherein the vehicle is provided with the run permission (1) when the voltage value of the fuel cell stack is equal to or more than a predetermined voltage value that is necessary before the vehicle may commence travel, wherein the voltage value is determined in dependence upon an electric current value that occurs when the fuel cell stack generates electric power, or (2) when the electric current value of the fuel cell stack is equal to or less than a predetermined current value that is necessary before the vehicle may commence travel, wherein the current value is determined in dependence upon a voltage value that occurs when the fuel cell stack generates electric power.